DA immersed in heated attack

By ALLAN KATZ 9-15-73

The fourth week of the pinball trial ended with Dist. Atty. Jim Garrison in command of his own defense and immersed in a vigorous attack on the government case that seeks to prove he took bribes to protect illegal pinball gambling.

Testimony in yesterday's proceedings ended with Garrison about to question his own expert witness on tapes and voice identification with the apparent goal of challenging the credibility of government tapes that reflect Garrison getting alleged bribes from government undercover agent Pershing Gervais.

The questioning of Louis Gerstman, a professor of speech and hearing sciences at City College of the City University of New York, will continue when court resumes Monday. The testimony of Gerstman is a climax to several days of testimony by witnesses called by Garrison, mostly attacking the credibility of Gervais.

Garrison took over his own defense early in the week, dismissing his own defense attorneys, and has handled his own case since.

In questioning a series of his own assistant DAs and investigators, Garrison has tried to emphasize two allegations:

—Pershing Gervais is not a credible witness.

—Garrison never asked anyone who worked for him to do anything improper.

The government, led by U.S. Atty. Gerald J. Gallinghouse and Asst. U.S. Atty. Michael Ellis, has counterattacked by getting witness after witness to admit that while many allegations were made against Gervais, no legal action was ever taken against him, and that no meaningful effort was ever launched to crack down on illegal pinball gambling.

Garrison also did a good turn for himself and his co-defendants — Robert Nims and John Aruns Callery — yesterday.

Capt. Frederick Soule Sr., a former vice squad head and investigator for Garrison, had testified that on Oct. 4,

Continued on Page 2

1970, Callery took $1,000 from Nims and gave it to Soule at a New Orleans shopping center.

But, Garrison yesterday called Callery's wife, daughter and a friend of the daughter's, all of whom testified that on Oct. 4, 1970, Callery was on vacation in Europe with them. They also produced passports and other documents to confirm their testimony, and the government did not object.

The proceedings yesterday came to an end as Garrison asked Gerstman if he had reached a conclusion on the reliability of the government's tapes. Gerstman was about to reply, saying, "I have reached the conclusion that . . ." when Gallinghouse objected that it was not certain the tape Gerstman had listened to was the same the government had produced.

After a lengthy conference with attorneys from both sides at the bench, Judge Herbert W. Christenberry ended the day's proceedings and the trial will resume at the same point on Monday with Gerstman on the stand and the question of his view of the tape's reliability still to be answered.

It appears likely the case could go to the jury by late next week. It had been predicted before the trial began that it would take from four to six weeks so it appears to be running about on schedule with Garrison expected to conclude his defense soon, and the attorneys for Nims to get their defense under way next week.